

REMARKS

Claims 36, 38, 39, and 41 are pending in the subject application.

Applicants have amended claims 36 and 39, and have canceled claims 37 and 40. The changes to the claims made herein do not introduce any new matter.

Rejection Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 36-41 under 35 U.S.C. § 103(a) as being unpatentable over *Tamura et al.* (“*Tamura*”) (US 6,806,978 B1) in view of *Hannah* (US 5,784,581) (as noted above, claims 37 and 40 have been canceled). As will be explained in more detail below, the combination of *Tamura* in view of *Hannah* would not have rendered the subject matter defined in independent claims 36 and 39, as amended herein, obvious to one having ordinary skill in the art.

Applicants have amended independent claim 36 to include the features specified in claim 37. Applicants have amended independent claim 39 to include the features specified in claim 40. *In addition, Applicants have made further changes to claims 36 and 39, and these changes are discussed in more detail below in connection with the discussion of the Advisory Action.* In light of the changes to independent claims 36 and 39, Applicants have canceled claims 37 and 40.

In support of the obviousness rejection, the Examiner asserts that the *Tamura* reference discloses the features specified in claims 37 and 40 at column 31, lines 9-11 (see the Final Office Action at pages 3 and 5). As noted above, the features specified in claims 37 and 40 have been incorporated into independent claims 36 and 39, respectively. In the *Tamura* reference, when the camera section 110 is connected to the print section 150, power is supplied from the print section 150 to the camera section 110 through the USB interface, and when power is supplied from the print section 150 to the camera section 110, the USB I/F section detects that the connection is conducted through the USB (see column 31, lines 4-14).

This same sequence is also adopted in the case where the camera section 110 is connected to the personal computer (PC) (see column 31, lines 61-67). Thus, in the *Tamura* reference, the camera section 110 is powered on when the camera section 110 is connected to either the print section 150 or the PC.

Independent claims 36 and 39, as amended herein, specify that a controller is operable to change the connection mode in accordance with a condition of the digital camera, which includes *a state in which the digital camera is powered off*. The *Tamura* reference does not disclose that the camera section is powered off. Further, in *Tamura*, when the camera section 110 is connected through the USB to the print section 150 or the PC, the camera section 110 is powered on. Thus, for the camera section 110 to be in a powered off condition, the camera section 110 must not be connected to either the print section 150 or the PC. In other words, in *Tamura*, when the camera section 110 is powered off, the camera section 110 is not connected to either the print section 150 or the PC through the USB interface.

Each of present claims 36 and 39 specifies that a digital camera is connected to a USB interface in a connection mode. For at least the foregoing reasons, the *Tamura* reference does not disclose or suggest this aspect of the presently claimed subject matter.

In further support of the obviousness rejection, the Examiner asserts that the *Hannah* reference discloses the second connection mode in which the digital camera is in communication with a computer without the interrupt channel. However, since *Tamura*'s camera section 110 is not connected in the powered off condition and *Tamura* does not disclose the claimed connection mode, one having ordinary skill in the art would not have been motivated to combine the second mode disclosed in *Hannah* with *Tamura*'s camera section 110.

As such, the combination of the *Tamura* and *Hannah* references is improper because one having ordinary skill in the art would not have combined the references in the manner

proposed by the Examiner. Nevertheless, even if the *Tamura* and *Hannah* references were to be combined in the manner proposed by the Examiner, the result of this combination would not have included each and every feature of the presently claimed subject matter for at least the reasons set forth above. As such, the combination of the *Tamura* and *Hannah* references would not have rendered the presently claimed subject matter obvious to one having ordinary skill in the art.

Advisory Action

In the Advisory Action dated November 4, 2009, the Examiner stated as follows:

Regarding claims 36 and 39, applicant submits that *Tamura* (US 6,806,978) does not disclose a state in which the digital camera is powered off, Remarks, page 5 lines 5-6. However, the examiner respectfully disagrees. First, it is well known in the art that the condition of a digital camera can be either in powered-on state or in powered-off state, yet impossible to be both in powered-on state and powered-off state. Thus, changing a connection mode is considered in accordance with a condition of the digital camera which includes either a powered-on state or powered-off state. Furthermore, *Tamura* (US 6,806,978) discloses that while the camera is in powered-on state, changing the connection mode depends upon an external power supply from a printer or a personal computer, but not the power supply of the camera itself (*Tamura*, fig. 8, column 31 lines 9-63). Lastly, the electronic camera by *Tamura* is capable of being operated using the external power from a printer or a personal computer while the camera is in powered-off state (*Tamura*, column 9 lines 59-65). Therefore, *Tamura* discloses, as claimed by applicant, a controller, operable to change the connection mode in accordance with a condition of the digital camera, wherein the condition of the digital camera includes: a state of the digital camera in which the digital camera is powered-on and a state of the digital camera in which the digital camera is powered-off. [Advisory Action at page 2 (the continuation sheet).]

To address the Examiner's above-quoted remarks regarding the *Tamura* reference, Applicants have amended each of claims 36 and 39 to specify that when the digital camera is powered on, the digital camera is connected to the USB interface in the first mode, and when the digital camera is powered off, the digital camera is connected to the USB interface in the second mode. Neither the *Tamura* reference nor the *Hannah* reference discloses or suggests the features that have been added to claims 36 and 39. Thus, the combination of *Tamura* in

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view of *Hannah* would not have rendered the subject matter defined in present claims 36 and 39 obvious to one having ordinary skill in the art.

Accordingly, in view of the foregoing, independent claims 36 and 39, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Tamura* in view of *Hannah*. Claim 38, which depends from claim 36, and claim 41, which depends from claim 39, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Tamura* in view of *Hannah* for at least the same reasons set forth above with regard to the independent claims.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 36, 38, 39, and 41, as amended herein, and submit that these claims are in condition for allowance. Accordingly, issuance of a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. NGBCP007).

Respectfully submitted,
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20. A beverage cooling system as in claim 17, wherein said cold plate support means comprises a pair of integral horizontally spaced and vertically extending supports having upper support surfaces for supporting said carbonator on said support surfaces and above the remainder of said cold plate.

21. A beverage cooling system as in claim 17, wherein said cold plate has a heat exchange surface and said cold plate support means comprises at least two horizontally spaced integral supports extending vertically upward from a perimeter of said heat exchange surface and having upper support surfaces for mounting said carbonator vertically spaced above said heat exchange surface.

22. A beverage cooling system as in claim 21, wherein said heat exchange surface is generally rectangular and said at least two supports extend vertically upward from one side of said perimeter of said heat exchange surface.

23. A beverage cooling system as in claim 21, wherein said primary heat exchange surface is generally rectangular and said at least two supports comprise two supports that extend vertically upward from opposite sides of said perimeter of said heat exchange surface.

24. A beverage cooling system as in claim 20, wherein said upper surfaces of said supports are saddles that are complementary in shape to a shape of said carbonator to provide intimate heat transfer contact between said support surfaces and said carbonator.

25. A beverage cooling system as in claim 17, wherein said cold plate is angled downward to facilitate runoff of ice melt water from said cold plate and said support means mounts said carbonator in horizontal orientation.

26. A beverage cooling system as in claim 20, wherein said cold plate is angled downward to facilitate runoff of ice melt water from said cold plate and said pair of vertically extending supports mount said carbonator horizontally on said upper support surfaces thereof.